

REMARKS

Claim Disposition

Claims 1-24 are pending in the application. The Examiner has rejected claims 1-24.

Claim Rejections 35 U.S.C. §102

Claims 15-16 and 23-24 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Petite U.S. Patent No. 7,103,511 B2 hereinafter referred to as "Petite". Applicants respectfully traverse.

Independent Claims 15 and 23 both include the limitation of *configuration information stored in the producer device that is NOT from a central configuration repository*. Advantages of this claimed element, as described in the specification, see paragraph [0037], include the ability for the consumer and producer devices within the system to continue to communicate with one another in the absence of a functioning central configuration repository. This capability eliminates downtime of the complete communication system every time the central configuration repository is out of service.

Having a central configuration repository, however, is a primary element of Petite and as such a significant portion of the specification is devoted to describing several aspects of such a database. For example, in col. 16, lines 17-20 Petite states: *using the site controller 150 as a communications master and maintaining individual device information at the site controller 150 enables the wireless communication devices to be simplified*. Petite, therefore, strongly advocates the use of a central configuration repository and as such is teaching away from this claimed element of not having a central configuration repository.

Petite in several instances discloses how the site controller maintains a central repository (database). For example, in col. 15, lines 58-64: *In addition to orchestrating communications with the wireless communication devices, the site controller 150 maintains current databases of information regarding the automated monitoring system 100, such as, for example, the function of the wireless communication devices, the unique address for each of the wireless communication devices, and current data contained in response messages*.

In view of the foregoing, applicants respectfully submit that an anticipation rejection

based on the teachings of Petite is improper and should be withdrawn.

Claims 16 and 24 are dependent upon Claims 15 and 23 respectively. As such Claims 16 and 24 contain all of the limitations of the claims from which they depend and therefore are also allowable for at least this reason.

Claim Rejections - 35 U.S.C. § 103

Claims 1-14 and 17-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Petite in view of U.S. Patent No. 7,133,907 B2 to Carlson, et al (hereinafter "Carlson"). Applicants respectfully traverse.

Similar to the Claims 15 and 23, Claim 1 also includes the element of *no central configuration repository*. As detailed above Petite does not disclose, teach or suggest this element. Likewise, Carlson does not disclose this element. In fact, Carlson also teaches away from this element in col. 7, lines 50-53: *FIG. 2 further illustrates a topology database 140 which provides information on the topology of all the resources in the system i.e., the connections between the host bus adaptors, switches and storage devices*. As such, Carlson does not cure the deficiencies of Petite regarding the element of *no central configuration repository*; as such the combination of Petite and Carlson cannot cure the deficiency either. An obviousness rejection, therefore, is improper and should be withdrawn.

Claims 2-14 and 18-22 are dependent either directly or indirectly from Claims 1 and 15 and by definition of dependency include all of the limitations of the claims from which they depend. For the foregoing reasons that Claims 1 and 15 are allowable, the dependent Claims 2-14 and 18-22 are also allowable.

Claim 10 additionally includes the limitation, *wherein the producer device instructs the consumer device via the network that a change in the configuration information is pending*. The Examiner has credited Petite with disclosing this claimed element by citing col. 18, lines 9-22 that describes a suspension in polling by the site controller is carried out in response to an emergency signal being received from a remote device. It is unclear whether the Examiner is interpreting the site controller or the remote device as the producer device, however, since in the instant application the producer device sends the original data signal we shall assume that the Examiner interprets the remote device as the producer device. In this scenario the remote device would need to *instruct* the site controller that a *change in the*

configuration is pending. Petite, however, simply discloses that the remote device sent an emergency signal. No mention is made of the remote device instructing the site controller that a change in configuration is pending. Petite elaborates that, the site controller changes it's polling through temporary suspension thereof. Whether the Examiner is equating suspension of polling with a change in configuration is not clear but even granting such a notion for arguments sake, Petite still fails to disclose where the site controller received such instructions. Regardless where the site controller received the instructions as long as Petite does not disclose that the instructions came from the remote device then this description falls short of disclosing this claimed element. Applicants, therefore, respectfully submit that the elements claimed in Claim 10 are not disclosed, taught or suggested by Petite and as such the obviousness rejection is improper and should be withdrawn. Additionally, Claims 11-13 are dependent upon Claim 10 and are therefore allowable as well.

Conclusion

It is believed that the foregoing remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicants. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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